

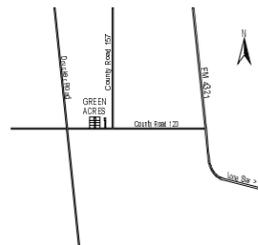
SAMPLE "OUTSIDE CITY LIMITS" PLAT: GREEN ACRES SUBDIVISION - SEPT. 2001

NOTE: This fictitious subdivision plat has been prepared to illustrate the information, maps, certifications, etc., typically required on a plat to comply with state statutes and rules applicable to residential subdivisions outside city limits but within a city's extraterritorial jurisdiction in border-area counties of Texas as of September 1, 2001. The laws include Texas Local Government Code ("LGC") Chapter 212, Subchapter A (municipal regulation of subdivisions); LGC Chapter 232, Subchapter B (county requirements); and the Texas Water Development Board's Model Subdivision Rules. This sample plat does not attempt to address a number of conditions that sometimes must be addressed on a plat. For an actual subdivision plat, it will be necessary to substitute appropriate language and information pertinent to that subdivision. Of course, there are significant requirements for subdividing land besides preparing a plat properly. Further, cities and counties may have additional local requirements for subdivisions and for plats.

INDEX TO SHEETS OF SAMPLE PLAT:

- SHEET 1.Heading; Index; Location Map and ETJ; Surveyor's Description (Metes and Bounds); Map of Lot, Street, and Easement Layout; Surveyor's Certification; Plat Notes and Restrictions.
- SHEET 2.Final Engineering Report with Certifications; Map of Water Distribution System.
- SHEET 3.Drainage Report with Certification; Map of Post-Development Topography and Drainage.
- SHEET 4.Description in Spanish of Water and Sewer Facilities and Operability Date (Spanish translation of parts of Final Engineering Report); Owner's Dedication, Certification, and Attestation; City Approval Certificate; County Approval Certificate.

LOCATION MAP AND ETJ STATUS (SCALE 1" = 8000' APPROX.):



Green Acres Subdivision is located in southeastern Rio County on the north side of County Road 123, approximately one mile west of its intersection with Farm to Market Road 4321. The only nearby municipality is the City of Lone Star. According to the official map in the office of the Secretary of the City of Lone Star (population 35,678), Green Acres Subdivision lies approximately one and one-half miles from the city limits and is within the city's two-mile extra-territorial jurisdiction (ETJ) under Local Government Code § 42.021 and the city's five-mile ETJ under Local Government Code § 212.001.

DESCRIPTION OF GREEN ACRES SUBDIVISION:

Being 4.56 acres of land, within the Laguna Seca League, Abstract No. 1357, lying and being situated in Rio County, Texas. The said 4.56 acre tract also being the same lands described in a Warranty Deed dated May 1, 1994, from Previous Owner to Sylvia Subdivider, recorded in Volume 432, page 321 of the Deed Records of Rio County, Texas. The said 4.56 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found in the north right-of-way line of County Road 123 for the southwest corner of this subdivision, the southwest corner of the above mentioned Subdivider 4.56 acre tract, and the most southerly southeast corner of the Douglas 52.11 acre tract as described in a Deed recorded in Volume 32, page 567, of the Deed Records of Rio County, Texas;

THENCE NORTH with the common line between the said Douglas and Subdivider tracts a distance of 405.00 feet to a 1/2" iron rod found for the northwest corner of said Subdivider tract and a reentrant southeast corner of the said Douglas tract;

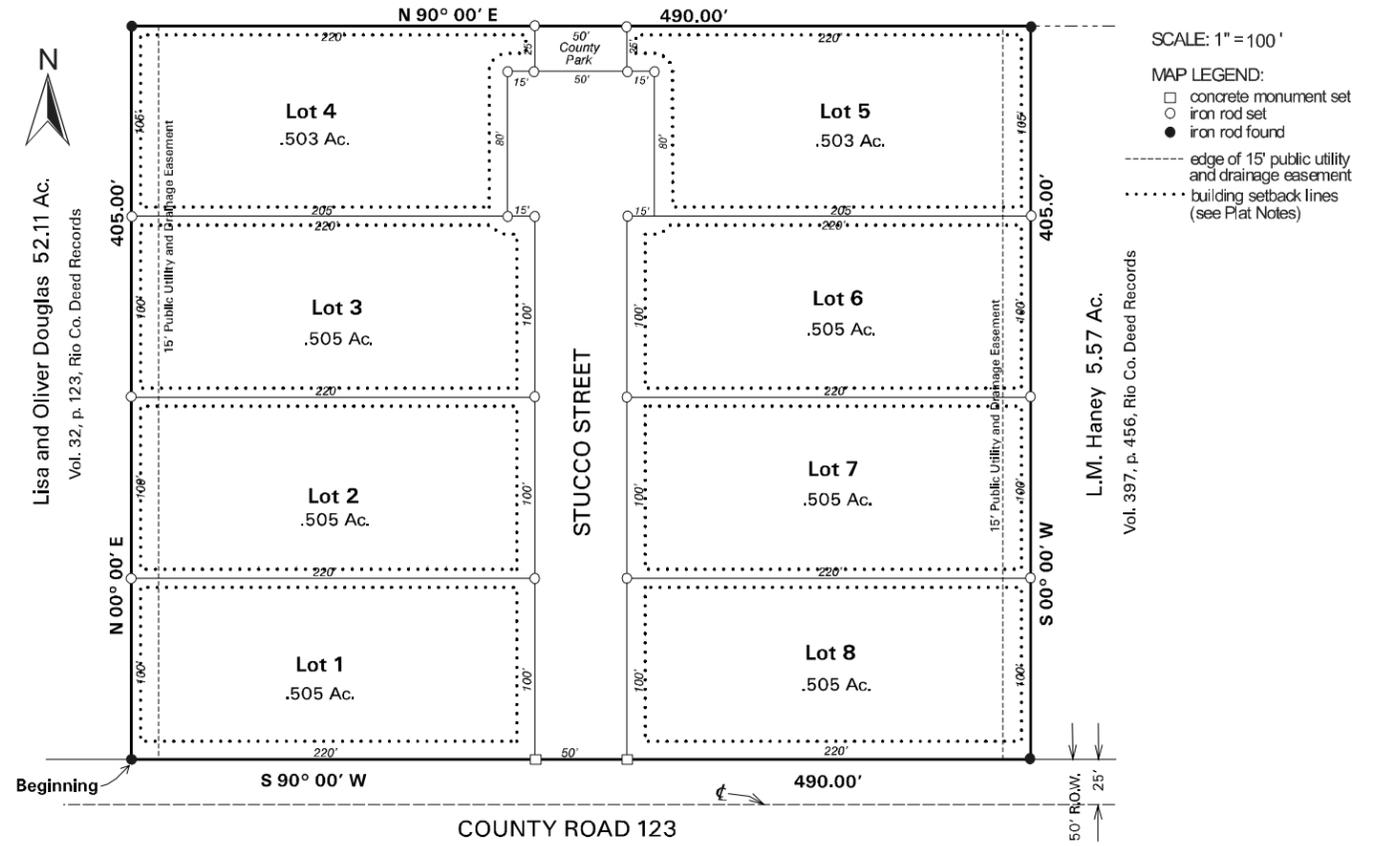
THENCE EAST, continuing with the common line between the said Douglas and Subdivider tracts, a distance of 490.00 feet to a 1/2" iron rod found for the northeast corner of the said Subdivider 4.56 acre tract, the same being the northwest corner of the Haney 5.57 acre tract as described in a Deed recorded in Volume 397, page 456, of the Deed Records of Rio County, Texas;

THENCE SOUTH with the common line between the said Haney and Subdivider tracts a distance of 405.00 feet to a 1/2" iron rod found for the common south corner of the said tracts in the north right-of-way line of County Road 123;

THENCE WEST with the north right-of-way line of County Road 123 a distance of 490.00 feet to the point of BEGINNING and containing 4.56 acres of land.

From the beginning point of this tract, a large old fence corner post found at an ell fence corner and taken to be the southwest corner of the Laguna Seca League bears S 45° W a distance of 4,321.00 feet.

Directional control is the called bearing of WEST along the adjacent segment of the north right-of-way line of County Road 123 as presently monumented.



STATE OF TEXAS
COUNTY OF RIO

I, Sam Surveyor, a Registered Professional Land Surveyor in Texas, hereby certify that the above plat and description of the Green Acres Subdivision were prepared from a survey of the property made on the ground by me or under my supervision on August 1, 2001.

[SEAL]

SAM SURVEYOR

DATE

PLAT NOTES AND RESTRICTIONS:

1. Buildings shall be set back as follows: from the County Road 123 right-of-way, 10 feet; from the Stucco Street right-of-way, 10 feet; and from other adjoining property lines, 5 feet.
2. The finished floor elevation of any residence shall be at least 18" above the average height of the curb in front of the lot, or at least 12" above the natural ground level surrounding the foundation, whichever is higher.
3. No more than one single-family detached dwelling shall be located on each lot.
4. No direct vehicular access from Lot 1 or Lot 8 to County Road 123 shall be permitted.
5. Each lot has a 15' wide public utility and drainage easement running along the rear of the lot. The rear of the lot is that portion farthest from Stucco Street.
6. Areas within the drainage easements and the Stucco Street right-of-way are within the 100-year floodplain, as noted in the engineer's certification on Sheet 3. Construction of residential housing within any area of the subdivision that is in the 100-year floodplain is prohibited unless the housing qualifies for insurance under the National Flood Insurance Act of 1968 (42 U.S.C. Sections 4001 through 4127).
7. Each drainage easement shall be kept clear of fences, buildings, plantings, and other obstructions that would interfere with the operation and maintenance of the drainage swales.
8. Sylvia Subdivider, the owner and subdivider of Green Acres, retains an easement upon each lot for the purpose of installing an approved on-site sewage facility (OSSF) on the lot, as described on Sheet 2 of this plat.

FINAL ENGINEERING REPORT FOR GREEN ACRES SUBDIVISION:

by Elena Engineer, P.E.

Water Supply: Description, Costs, and Operability Date

Green Acres Subdivision will be provided with potable water by the Rio Bonito Water Supply Corporation (“Rio Bonito”). The subdivider and Rio Bonito have entered into a contract in which Rio Bonito has promised to provide sufficient water to the subdivision for at least 30 years and Rio Bonito has provided documentation to sufficiently establish the long term quantity and quality of the available water supplies to serve the full development of this subdivision. Rio Bonito has an 8" diameter water line running along the north side of the right-of-way of County Road 123. The water system for Green Acres Subdivision consists of a 2" diameter water line that taps into this 8" line. The 2" line then runs north along the east side of the Stucco Street right-of-way. From the 2" line, four 1" diameter dual service lines run to pairs of lots before splitting into two 3/4" diameter single service lines going to the water meter boxes for each lot. The 2" line, the dual service lines, the 3/4" single service lines, and the meter boxes have already been installed, at a total cost of \$4,000, or \$500 per lot. The subdivider has in addition paid Rio Bonito the sum of \$3,200, which covers the \$400 cost per lot for the water meter (including installation costs and all tap fees and membership fees). Upon request by the owner of a lot, Rio Bonito will promptly install at no charge the water meter for that lot. The water facilities are fully operable as of this date, October 31, 2001. The subdivider has also installed a fire hydrant at a cost of \$400.

Sewage Facilities: Description, Costs, and Operability Date

Sewage from Green Acres Subdivision will be treated by individual on-site sewage facilities (“OSSF” or “septic systems”) consisting of a standard design dual compartment septic tank and a drainfield on each lot. The undersigned professional engineer has evaluated the suitability of the subdivision site for OSSF and submitted a report concluding that the site is suitable for OSSF using standard subsurface disposal methods. The report was reviewed and approved by the Rio County Health Department. Highlights of the report are as follows:

Each lot in the proposed subdivision is at least ½ acre in size. Two test borings were made at opposite areas of the subdivision — the centers of lots 4 and 8. (Additional borings were unnecessary because the soils are very uniform within this limited area.) The soil is a uniform silty loam extending more than 24" below the bottom of any proposed excavations. There is no indication of groundwater or a restrictive layer within 24" of the bottom of the proposed excavations. The subdivision drains well, having a slope of approximately 3%. The stormwater runoff from a 100-year flood is contained within the Stucco Street right-of-way and the drainage easements. Each lot has adequate area for a replacement drainfield.

The estimated cost to install a septic system (for a three-bedroom, two-bath home, as anticipated) on an individual lot is \$1,500, including the costs for the required permit and license. No OSSF have been installed as of the time of application for final plat approval. At the time of filing for record of this final plat, the subdivider will post with Rio County a bond in the amount (not less than the estimated \$12,000 cost for the eight OSSF systems) determined by the Commissioners Court to be adequate to ensure proper installation of the OSSF, including reasonable contingencies. The subdivider will include the cost of a septic system in the sales price of each lot. At any time after a particular lot is sold, the purchaser may initiate installation of a septic system by writing or calling the subdivider and then filing with the Rio County Health Department an application for a permit to construct a septic system. If on a lot belonging to the subdivider no septic system has been installed as of October 1, 2003, then the subdivider will obtain the proper permit and install a septic system by December 31, 2003. If on a lot belonging to someone other than the subdivider no septic system has been installed as of October 1, 2003, then the subdivider will first remind the lot owner of the availability of the septic system. If the lot owner does not

initiate the installation of the septic system by notifying the subdivider and filing an application for a permit to construct the system within 30 days after such reminder, then the subdivider will proceed to install the septic system using the easement right she has retained for that purpose (see Plat Note 8 on Sheet 1). In any event, the septic systems will be installed on every lot by December 31, 2003.

Certifications:

I certify that the water and sewage service facilities described above are in compliance with the Model Rules adopted under Section 16.343, Water Code.

I certify that the estimated costs to install unconstructed water and on-site sewage facilities, discussed above, are as follows:

Water Facilities - These facilities are fully constructed, except for installation of water meters, which cost \$400 per lot. The subdivider has paid a total of \$3,200 to Rio Bonito W.S.C. to cover the costs of meter installation.

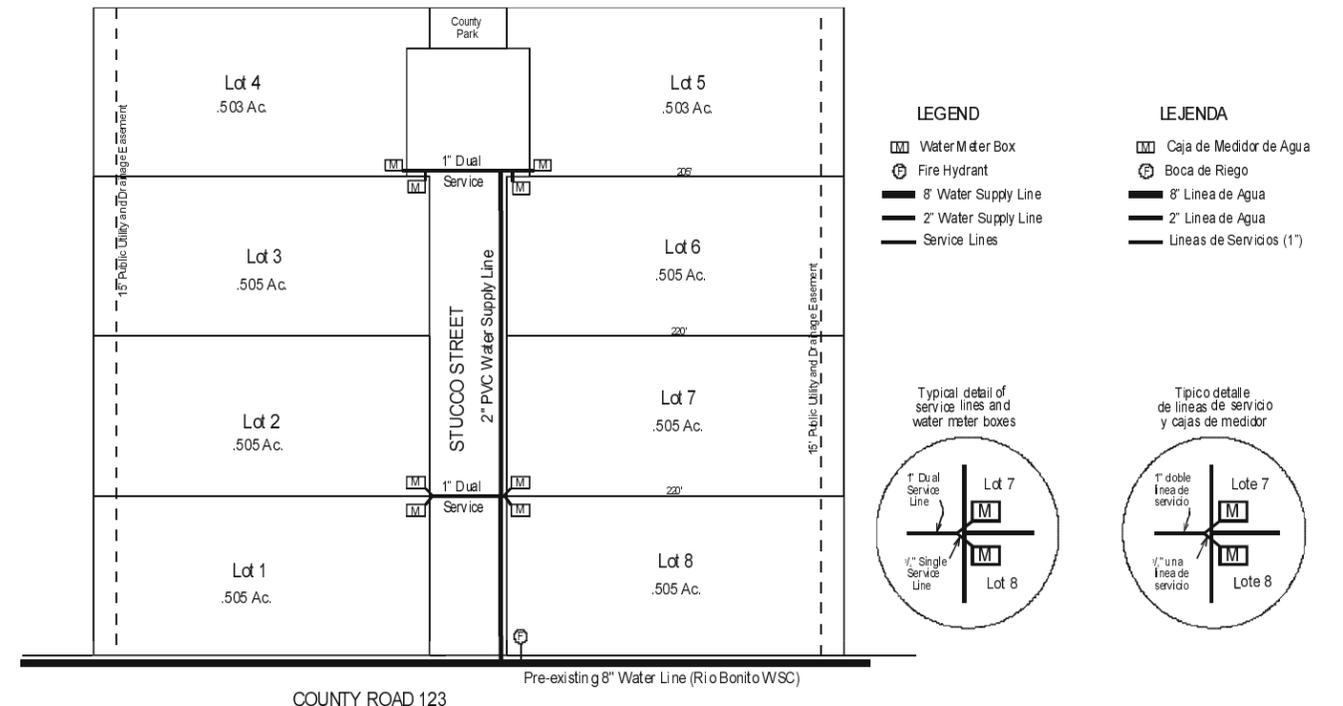
Sewage Facilities - Septic systems are estimated to cost \$1,500 per lot (all inclusive), for a total of \$12,000 for the subdivision.



ELENA ENGINEER

DATE

**MAP OF WATER DISTRIBUTION SYSTEM /
MAPA DE SISTEMA DE DISTRIBUCION DE AGUA**



DRAINAGE REPORT:

by Elena Engineer, P.E.

Green Acres Subdivision is on land that gently slopes down in a southerly to southeasterly direction. The drainage area uphill from the subdivision is small-less than 3 acres in size. Therefore, the amount of stormwater runoff flowing into the subdivision from adjoining properties is insignificant. Within the subdivision, the front portions of the lots have been graded slightly so that the front yards slope down to Stucco Street. Stucco Street (with pavement width of 30 feet) has been constructed with curbs and gutters at an elevation typically a few inches lower than the adjoining lots. Thus, Stucco Street captures runoff from the lots and carries it toward County Road 123, where it flows through slots in the curb into a county drainage ditch along the north side of the county road right-of-way. Some runoff from lots 1 and 8 flows directly into the drainage ditch. Finally, shallow drainage swales have been constructed along the east and west edges of the subdivision within the drainage easements in the rear 15 feet of lots 1 through 8. These swales intercept flows from these lots and convey the flows south to the county drainage ditch.

The county drainage ditch flows from west to east. Just north of the intersection of Stucco Street with County Road 123, a triple culvert (consisting of three parallel 18" diameter reinforced concrete pipes) has been constructed so that the drainage ditch flows under Stucco Street. The drainage ditch carries water eastward approximately one mile, where it empties into Arroyo Seco.

On the Federal Emergency Management Agency's FIRM map, Community Panel number 480334 0425 C (January 24, 1987), no portion of Green Acres Subdivision is shown to be within a special flood hazard area subject to a one percent or greater chance of flooding in any given year. However, due to the design and construction of the subdivision, Stucco Street and the drainage swales at the rears of the lots are susceptible to inundation during rainstorms.

The 100-year flood is thus contained within the right-of-way of Stucco Street and within the drainage swales along the east and west edges of the subdivision. A restrictive covenant (set out on Sheet 1 under Plat Notes and Restrictions) prohibits the construction of residential housing in any area of the subdivision that is in a floodplain unless the housing qualifies for insurance under the National Flood Insurance Act of 1968. As further noted on Sheet 1, the finished floor elevation of each house is required to be at least 18 inches above the top of the average height of the curb in front of the lot, or 12 inches above the natural ground level surrounding the foundation, whichever is higher. The subdivider has stockpiled soil from the street and swale excavation for use as fill.

The above measures provide positive drainage away from all buildings, avoid concentrating runoff onto other lots, and coordinate individual lot drainage with the general storm drainage pattern for the area. The map at right illustrates the flow patterns for the runoff.

Certification:

Under Local Govt. Code § 232.021(4), "floodplain" means any area in the 100-year floodplain that is susceptible to being inundated by water from any source or that is identified by FEMA under the National Flood Insurance Act. By my signature below, I certify that the 100-year floodplain as so defined is contained within the following areas of the Green Acres Subdivision:

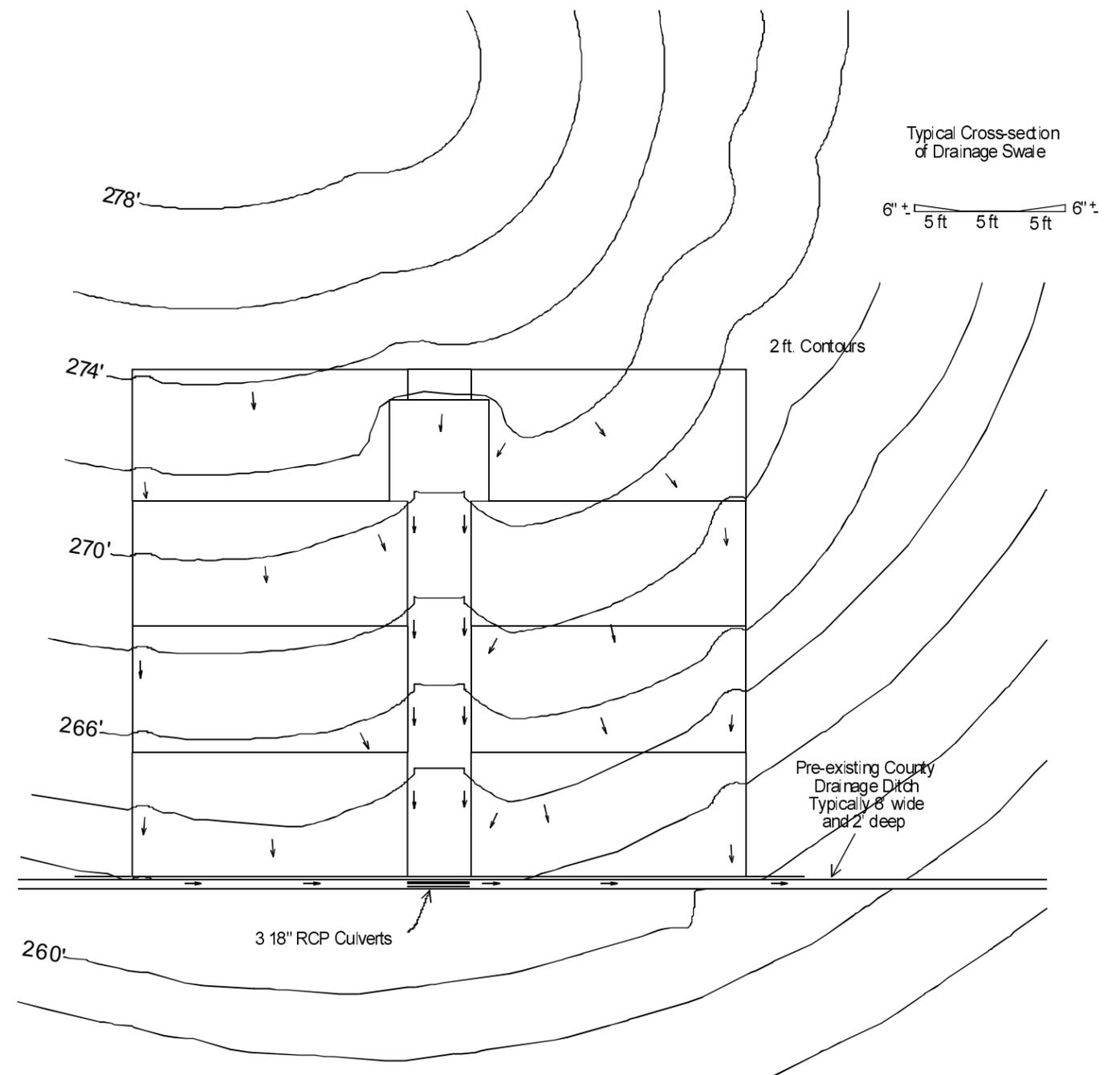
- 1. the right-of-way of Stucco Street, and
- 2. the 15' wide drainage easements at the rears of lot 1-8.

[SEAL] _____
ELENA ENGINEER

DATE

MAP OF POST-DEVELOPMENT TOPOGRAPHY AND DRAINAGE:

SCALE 1" = 120' APPROX.



DESCRIPTION IN SPANISH OF WATER AND SEWER FACILITIES AND OPERABILITY DATE:

[NOTE: Local Govt. Code § 232.023(b)(6) requires a statement in English and in Spanish describing the water and sewer facilities that will be constructed or installed to service the subdivision, along with the roadways and easements dedicated for the provision of water and sewer facilities. The English version of this statement, rather than being stated separately on this sample plat, is contained within the Final Engineering Report required by the Model Subdivision Rules. A translation (below) of the relevant sections of the Final Engineering Report contains the Spanish version of the required statement, along with other information not required to be translated.]

SPANISH TRANSLATION OF SECTIONS OF FINAL ENGINEERING REPORT DESCRIBING WATER SUPPLY AND SEWER SERVICE FACILITIES, translated by Theresa Translator.

Provision de Agua: Descripción, Gastos y Fecha de Inicio

La subdivisión Green Acres recibirá su provisión de agua de Río Bonito Water Supply Corporation (la compañía de agua Río Bonito) ("Río Bonito"). El dueño de la subdivisión y la compañía Río Bonito han firmado un contrato por el cual la subdivisión recibirá su provisión de agua por los próximos 30 años. Río Bonito tendrá que presentar documentación para demostrar a largo plazo la cantidad y calidad de agua accesible para servir el futuro desarrollo de la subdivisión. El sistema de provisión de agua para la subdivisión Green Acres consiste de un conducto de agua de 8 pulgadas de diámetro que pasa por el lado norte del derecho de vía ("Right of Way") de la carretera "County Road 123." El sistema de provisión de agua de la subdivisión Green Acres consiste de un conducto de agua de 2 pulgadas de diámetro que se conecta con el conducto de agua de 8 pulgadas. El conducto de 2 pulgadas sigue hacia el norte, al este del derecho de vía de la calle Stucco ("Stucco Street"). Del conducto de agua de 2 pulgadas se producen cuatro doble-conductos de agua de una pulgada de diámetro para cada dos lotes. Estos conductos se separan para producir dos conductos de agua de 3/4 de pulgada de diámetro para cada lote. Ya se han instalado los conductos de agua de 2 pulgadas de diámetro, los doble-conductos de agua de 1 pulgada de diámetro, el conducto de 3/4 de pulgada de diámetro, y los medidores mecánicos de agua a un costo total de US\$4,000 o US\$500 por lote. El dueño de la subdivisión también le ha pagado a la compañía Río Bonito US\$3,200, que cubre el costo del medidor mecánico de agua para cada lote, US\$400. Este precio incluye el costo de la instalación de cada medidor y los gastos de conexión. Cuando el dueño de cada lote solicite un medidor de agua, la compañía Río Bonito lo instalará sin algún gasto al dueño. Las facilidades de agua son completamente funcionadas de la fecha, Octubre 31, 2001. El dueño de la subdivisión también ha instalado una boca de riego ("fire hydrant") a un costo de US\$400.

Drenaje: Descripción, Gastos y Fecha de Inicio

Para facilitar el drenaje para la subdivisión, se instalarán fosas sépticas individuales en cada lote. Estas fosas sépticas consisten de un tanque séptico de modelo dual y de un campo de drenaje para cada lote. El ingeniero-autor de este documento ha evaluado la área donde se encuentra la subdivisión y ha preparado un reporte que concluye que este terreno es adecuado para estas fosas sépticas ("OSSF"). El reporte fue revisado y aprobado por el departamento de salubridad del condado de Río. Según el reporte:

Cada lote de la subdivisión mide medio acre. Se hicieron dos posos de evaluación en lugares opuestos en la subdivisión — en el centro del lote 4 y del lote 8. (Posos adicionales no fueron necesarios porque el terreno en esta área es significativamente uniforme.) El terreno es uniforme (mezcla de cieno y marga) y se extiende mas de 24 pulgadas bajo todas las excavaciones propuestas. No existe evidencia de agua 24 pulgadas mas arriba de lo mas bajo de las excavaciones propuestas.

El agua en este área corre bien y tiene sesgo de tres por ciento aproximadamente. El planicie de inundación ("floodplain") de 100 años se contiene entre la calle Stucco y el derecho distinto de drenaje ("drainage easement") de la propiedad.

Cada lote tiene área proporcionada para desecar.

Se estima que el costo de instalar una fosa séptica (en una casa de tres recamaras, dos baños) en cada lote será US\$1,500. Este precio incluye los gastos para los permisos y las licencias. A la hora de la entrega de la solicitud de aprobación final de la subdivisión, ninguna fosa séptica había sido instalada. El dueño de la subdivisión pagará un depósito de garantía no menos de US\$12,000 a el condado de Río, decidido por los comisionados de el condado para cubrir todos los gastos y contingencias para el sistema séptico de los ocho lotes cuando se registre el mapa final. El dueño de la subdivisión incluirá el costo del sistema séptico en la venta de cada lote. Después de la compra de cada lote, el comprador del lote puede iniciar la instalación del sistema séptico pidiéndolo por escrito o llamando al dueño de la subdivisión. De inmediato, el dueño tendrá que llenar una solicitud con el departamento de salubridad (Río County Health Department) para obtener el permiso de construcción de la fosa séptica. Si en un lote que pertenece al dueño de la subdivisión no se haya instalado una fosa séptica para el 1 de Octubre de 2003, el dueño de la subdivisión tendrá que obtener el permiso adecuado e instalar una fosa séptica para el 31 de Diciembre de 2003. Si en un lote que le pertenece a una persona que no sea el dueño de la subdivisión no se haya instalado una fosa séptica para el 1 de Octubre de 2003, el dueño de la subdivisión le tendrá que recordar al dueño del lote la posibilidad de obtener un sistema gratuito. Si el dueño del lote no inicia los tramites para la instalación del sistema séptico dándole a saber al dueño de la subdivisión y haciendo la solicitud para un permiso de construcción dentro treinta días, el dueño de la subdivisión ejercerá su posición como apoderado para instalar el sistema séptico usando el derecho distinto para este caso (mire nota numero 8 en pagina 1). En cualquier caso, el sistema séptico será instalado en cada lote para el 31 de Diciembre de 2003.

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION:

I, Sylvia Subdivider, a single woman, as owner of the 4.56 acre tract of land encompassed within the proposed Green Acres Subdivision, hereby subdivide the land as depicted in this subdivision plat and dedicate to public use the street, park, and easements shown herein.

- I certify that I have complied with the requirements of Texas Local Government Code § 232.032 and that
- (A) the water quality and connections to the lots meet, or will meet, the minimum state standards;
- (B) sewer connections to the lots or septic tanks meet, or will meet, the minimum requirements of state standards;
- (C) electrical connections provided to the lots meet, or will meet, the minimum state standards; and
- (D) gas connections, if available, provided to the lots meet, or will meet, the minimum state standards.

I attest that the matters asserted in this plat are true and complete.

SYLVIA SUBDIVIDER

DATE

STATE OF TEXAS
COUNTY OF RIO

BEFORE ME, the undersigned notary public, on this day personally appeared Sylvia Subdivider, proved to me through her Texas Department of Public Safety Driver License to be the person whose name is subscribed to the foregoing instrument, who, being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 2001.

[Note: For short forms of the notary's certificate of acknowledgment for various entities, including partnerships and corporations, see Texas Civil Practice and Remedies Code § 121.008.]

**CITY OF _____ CERTIFICATE OF PLAT APPROVAL
UNDER LOCAL GOVERNMENT CODE § 212.009(c) AND § 212.0115(b):**

WE THE UNDERSIGNED CERTIFY that this plat of Green Acres Subdivision was reviewed and approved by the City Council of the City of _____ on _____, _____.

Mayor of the City of _____ Date _____ ATTEST: _____
Secretary of the City of _____ Date _____

**RIO COUNTY CERTIFICATE OF PLAT APPROVAL
UNDER LOCAL GOVERNMENT CODE § 232.028(a):**

WE THE UNDERSIGNED CERTIFY that this plat of Green Acres Subdivision was reviewed and approved by the Rio County Commissioners Court on _____, _____.

Rio County Judge Date _____ ATTEST: _____
Rio County Clerk Date _____